

On January 4, 1921, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9805. Misbranding of Wendell's Ambition pills. U. S. * * * v. 28 Packages * * * of * * * Wendell's Ambition Pills. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13625. Inv. No. 23529. S. No. C-2467.)

On September 2, 1920, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 28 packages, consisting of 24 small sized and 4 large sized packages, of Wendell's Ambition pills, remaining in the original unbroken packages at Kansas City, Mo., alleging that the article had been shipped by the Wendell Pharmacal Co., Syracuse, N. Y., on or about May 29, 1920, and transported from the State of New York into the State of Missouri, and charging misbranding in violation of the Food and Drugs Act, as amended. The small sized packages were labeled in part, (carton) "* * * Pills Ambition Brand sized packages were labeled in part, (carton) "* * * Pills Ambition Brand Beneficial in the treatment of * * * Nervous Debility, Sleeplessness, Digestion, * * * Affections of the Nervous System." The large sized packages were labeled in part, (carton) "* * * Ambition Pills The Great Nerve Tonic. * * * Nervous Debility, Weakness, * * * Kidney * * * Complaints, Malaria, Rheumatism, Neuralgia, Exhausted Nervous Vitality, Nervous Prostration, Sleeplessness, Despondency, Mental Depression, Hysteria, Numbness, Trembling, Nervous Headaches, Dyspepsia, Indigestion, * * * and all affections of the Nervous System."

Analysis of a sample of the article by the Bureau of Chemistry of this department showed that it contained nux vomica extractives, quinine, and aloin.

Misbranding of the article was alleged in substance in the libel for the reason that the above-quoted statements appearing in the label of the cartons, regarding the curative and therapeutic effects thereof, were false and fraudulent in that the said article did not contain any ingredient or combination of ingredients capable of producing the effects claimed.

On October 7, 1920, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

9806. Adulteration and misbranding of ice cream flavor. U. S. * * * v. 10 Gallons of Ice Cream Flavor. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 13687. I. S. No. 7810-t. S. No. E-2643.)

On September 16, 1920, the United States attorney for the Middle District of Pennsylvania, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 10 gallons of ice cream flavor which had been represented to be high grade vanilla extract, remaining unsold in the original unbroken packages at Huntingdon, Pa., alleging that the article had been shipped by the W. B. Wood Mfg. Co., St. Louis, Mo., on or about June 14, 1920, and transported from the State of Missouri into the State of Pennsylvania, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part, "A-XXXX Ice Cream Flavor Concentrated * * *